IN THE HIGH COURT OF BOMBAY AT GOA

SECOND APPEAL NO. 97 OF 2005

MR.FRANCISCO COUTINHO,VASCO DA GAMA,GOA ....Appellant

Versus

MR.MOHAMED ASHRAF KHAN,VASCO DA GAMA ....Respondent

Ms. Susan Linhares, Advocae under Legal Aid Scheme, for the appellant.

Coram:- D. D. SINHA, J.

Date:- 29th November, 2005

P.C.

Heard Ms. Linhares, the learned Advocate for the appellant. The appellant is the original defendant. The respondent filed suit for permanent injunction which was decreed by the trial Court. The appeal preferred by the original defendant was also dismissed. The substantial questions of law raised by the appellant in the present second appeal are virtually the questions of facts.

In the present case, both the courts below have concurrently held in favour of the respondent/plaintiff. Therefore, the substantial questions of law raised by the appellant, in my view, are not the substantial questions of law. In the circumstances, the second appeal is dismissed.

D. D. SINHA, J.

ssm.